

U.S. Strategic Dilemmas in Uzbekistan and Turkmenistan Briefing at CSIS

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Felice Gaer: In October of last year, the Commission visited Uzbekistan and met with government officials, human rights activists, religious leaders and former prisoners in the Ferghana valley, including in Andijon, plus Tashkent and Samarkand. The Commission notes that many Uzbek government policies towards religious groups and individuals foreshadow the tragedy in Andijon.

In April 2005, the Commission found the government of Uzbekistan to be responsible for severe human rights violations, including freedom of thought, conscience, and religion or belief, and recommended to the Secretary of State that Uzbekistan be named a Country of Particular Concern (CPC), under the International Religious Freedom Act of 1998.

Uzbekistan has a highly restrictive law on religion that severely limits the ability of religious communities to function and that criminalizes all unregistered religious activity. Under the 1998 Uzbek religion law, the government denies registration to various religious groups, particularly minority religious communities, resulting in an effective ban on the activities of these groups. At present, some 100 unregistered religious communities - of all faiths - are seeking registration.

The Uzbek government also exercises a high degree of control over the manner in which the Islamic faith is practiced. There are very few outlets for Muslims to learn about or practice their faith other than those provided by the government via the Muslim Spiritual Board. After 1998, the Uzbek authorities closed 3,000 of the reported 5,000 functioning mosques in the country.

The Commission delegation in Uzbekistan experienced directly the government's determination to monitor the activities of Muslim leaders. Certain officials from the Uzbek Interior Ministry insisted on being present at the Commission's meetings with local imams in Samarkand and in cities in the Ferghana Valley. Even more heavy-handed tactics were used in

the city of Ferghana, where Uzbek security agents made overt efforts to disrupt the Commission delegation's meeting with an Uzbek human rights activist, former prisoner, and other victims of repression.

Government authorities crack down harshly on Muslim individuals, groups, and mosques that do not conform to government-prescribed practices or that the government claims are associated with extremist political programs. This crack down has resulted in the imprisonment of thousands of persons in recent years, many of whom are denied the right to due process. There are also credible reports that many of those arrested continue to be tortured or beaten in detention. There are, according to the 2004 State Department human rights report, approximately 5,500 prisoners in Uzbekistan who have been convicted because they choose to exercise their faith outside the state's control or who the government claims are associated with extremist groups.

Confessions are the main evidence used to convict persons accused of membership in suspect organizations. Such confessions are often obtained before the accused has gained access to a lawyer or doctor and frequently result from ill-treatment or torture which is widespread in Uzbekistan. There is also a widespread reliance on "guilt by association"; members of the same family are arrested and sentenced for alleged involvement with proscribed religious organizations, beliefs, or practices. Any outward display of piety can arouse suspicion by the Uzbek government and may lead to sanctions, including possible arrest.

Security threats do exist in Uzbekistan, including from members of *Hizb ut-Tahrir* and other groups that claim a religious linkage, but these threats do not excuse or justify the scope and harshness of the government's ill treatment of religious believers. Because the Uzbek criminal justice system is not transparent, it is impossible to know fully the basis on which people have been detained or convicted. I should note that the Commission's recommendation that Uzbekistan be designated a CPC should not in any way be construed as a defense of *Hizb-ut-Tahrir*, an extremist and highly intolerant organization that promotes hatred against moderate Muslims, the West, Jews and others.

The recent tragic events in Andijon occurred as a result of public protests over the trial of 23 local businessmen who reportedly employed thousands of people in an impoverished region. The Uzbek government claims that the charitable activities of these 23 businessmen are "criminal" and "extremist" and linked to *Hizb-ut-Tahrir*. Given the nature of the Uzbek judicial system - along with the Uzbek practice of convicting persons solely for

their alleged membership in banned organizations - it is impossible to ascertain the veracity of such official claims. The Commission joins those who are calling for an international investigation, possibly by the OSCE which has an on-the-ground presence in Uzbekistan, to clarify the tragic course of events in Andijon.

Commission Recommendations

I would now like to highlight some of the policy recommendations made by the Commission to the U.S. government. For a complete list of our recommendations, I refer you to the recent USCIRF Policy Brief on Uzbekistan.

The U.S. government should ensure that it speaks in a unified voice in its relations with the Uzbek government. For example, last year the State Department refused to provide funding to the Uzbek government due to its human rights violations, yet, one month later, the Defense Department granted funds to the Uzbek government. U.S. statements and actions should be coordinated across agencies to ensure that U.S. concerns about human rights conditions in Uzbekistan are reflected in all dealings with the Uzbek government.

U.S. assistance to the Uzbek government, with the exception of assistance to improve humanitarian conditions and advance human rights, should be made contingent upon establishing and implementing a specific timetable for the government to take concrete steps to improve conditions of freedom of religion or belief and observe international human rights standards.